



**Express Mail No.: EV452775550US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Kocur *et al.* Confirmation No.: 5627  
Serial No.: 10/633,864 Art Unit: 1733  
Filed: August 4, 2003 Examiner: Fischer, Justin R.  
For: STENT WITH CHANNEL(S) FOR Attorney Docket No.: 10177-219-999  
CONTAINING AND DELIVERING A (CAM No: 008563-999216)  
BIOLOGICALLY ACTIVE MATERIAL  
AND METHOD FOR  
MANUFACTURING THE SAME

**TERMINAL DISCLAIMER FEE TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$110.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: July 1, 2005

*Gidon D. Stern*  
*Reg. No 44,516* 27,469  
\_\_\_\_\_  
Gidon D. Stern (Reg. No.)  
JONES DAY  
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New York, New York 10017  
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Enclosure

07/07/2005 RFEKADU1 00000033 503013 10633864

02 FC:1806 180.00 DA

07/07/2005 RFEKADU1 00000033 503013 10633864

03 FC:1814 130.00 DA



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Serial No.:	10/633,864	Art Unit:	1733
Filed:	August 4, 2003	Examiner:	Fischer, Justin R.
For:	STENT WITH CHANNEL(S) FOR CONTAINING AND DELIVERING A BIOLOGICALLY ACTIVE MATERIAL AND METHOD FOR MANUFACTURING THE SAME	Attorney Docket No.:	10177-219-999 (CAM No: 008563-999216)

**TERMINAL DISCLAIMER**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Gidon D. Stern** represents that he is one of the attorneys of record for Scimed Life Systems, Inc., the assignee of the entire right, title and interest in and to the above identified application, by virtue of an Assignment which was recorded on January 30, 2001, at reel 011513, frame 0146, in prior application No. 09/774,218, filed January 30, 2001, now United States Patent No. 6,752,829, to which the above-captioned application claims priority. In particular, this application is a continuation application of U.S. Patent Application No. 09/774,218, filed January 30, 2001, now United States Patent No. 6,752,829 ("the '829 patent").

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the '829 patent, which issued on June 22, 2004, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent and the '829 patent are commonly owned.

Petitioner further agrees that this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the '829 patent in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Scimed Life Systems, Inc.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 1<sup>st</sup> day of July, 2005.

By: Gidon D. Stern  
Name: Gidon D. Stern Reg. No. 44,516  
Position: Attorney for Assignee Scimed Life Systems, Inc. 27,469  
(Reg. No.)

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